

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

**PABLO ARRIAGA-ZACARIAS, et al., and all :
others similiarly situated, :**

Plaintiffs, :

v. :

LEWIS TAYLOR FARMS, INC., et al., :

Defendants. :

Civil Action No.: 7:08-CV-32

AGWORKS OBJECTION TO STATUS REPORT BY PLAINTIFFS

AgWorks, Inc., a non-party to the above litigation, hereby files this its objection to the status report filed by Plaintiff's Attorney.

1. Requested Information:

Plaintiff's subpoena for production of documents set forth that Plaintiff's attorney requested all "documents" concerning "Lewis Taylor Farms, Inc, Quality Produce, LLC, Spring Hill Produce, Inc., Spring Hill Produce, LLC, International Workers, LLC, William L. Brim, Edward Walker, and/or Bartolome Acosta (collectively "The Group")" for a defined time period.

2. Procedural Information:

Mr. Dan Bremer, President of AgWorks, Inc., filed written objections on behalf of the corporation that were properly stricken as ordered by this Court. Thereafter, a hearing was held and this court directed that the appropriate documents be produced subject to a protective order. In compliance with the Court's direction, AgWorks, Inc.

provided 4 boxes of documents containing approximately 5000 pages of information that were retained by the company in hardcopy form. In addition, and upon the request of Plaintiff's attorney, AgWorks, Inc. provided an electronic file to the Plaintiff's attorney of the requested information (at a cost of nearly \$1400.00). Much of the information provided on the electronic file was a duplicate of the hardcopy information provided in the four boxes; however, there was additional information that was stored electronically that was not maintained in hardcopy format by AgWorks, Inc. This information was also provided.

During the hearing before this Court, AgWorks, Inc attorney expressed its concern that disclosing information regarding other clients. Plaintiff's attorney stated that "we want documents that are as the group is defined, which are individuals related to the defendants" and that it was not after information regarding other clients.

In the electronic files produced to the Plaintiff's attorney there were "Daily Report" logs from AgWorks, Inc. employees. "Daily Report" logs are a summary of the day's activities by AgWorks, Inc. employees. Within the "Daily Reports" contained the names of other clients of AgWorks, Inc. that are not listed in the defined "group" of Plaintiff's subpoena, but were clients that AgWorks, Inc.'s employees performed services for on the date referenced in the "Daily Report" log. As the "Daily Reports" contained information of other clients, information that Plaintiff's attorney stated he was not interested in, AgWorks, Inc. redacted the names of its other customers from the daily reports and noted the same with an "*Edited*" notation.

AgWorks, Inc. shows that it has been responsive to the subpoena and has produced the information requested. AgWorks, Inc. requests that this Court conduct an

incamera inspection of the documents (both original and *Edited* version) to determine whether AgWorks, Inc. has been responsive to Plaintiff's attorney's subpoena and whether the same is relevant and discoverable in the instant case as an original document or an *Edited* document.

This the 3rd day September, 2009.

MOORE & VOYLES, P.C.

s/ Gregory A. Voyles
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Mr. Dawson Morton, Attorney for Plaintiff, and Mr. Robert D. Hall, Jr., Attorney for Defendant.

This the 3rd day of September, 2009.

MOORE & VOYLES, P.C.

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